TAB A

Before the
Federal Communications Commission
Washington, D.C. 20554

In the Matter of Application by BellSouth Corporation, BellSouth Telecommunications, Inc., and BellSouth Long Distance, Inc., for Provision of In-Region, InterLATA Services in Georgia and Louisiana	))))))))	CC Docket No. 01-277

REPLY DECLARATION OF SHERRY LICHTENBERG, RENE DESROSIERS, KAREN KINARD & RICHARD CABE

1. We are the same Sherry Lichtenberg, Rene Desrosiers, Karen Kinard, and Richard Cabe who previously filed a declaration in this proceeding. Little has improved since we filed our initial declaration detailing our ongoing difficulties with BellSouth's OSS. However, some difficulties have grown worse since we filed that declaration.

2. We will not repeat our prior discussion. We do, however, want to emphasize that the Department of Justice's conclusion that BellSouth's OSS is not yet adequate to support UNE-P ordering is exactly right. The difficulties discussed by the Department of Justice have been – and remain – significant barriers to MCI's ability to compete effectively in the BellSouth market.

3. Here, we intend simply to provide brief updates on significant changes that have occurred since we filed our prior declaration and to respond to specific claims in BellSouth ex partes or in comments made in the record.

4. The primary change in the weeks since we filed our prior declaration has been BellSouth's effort to implement a process to enable CLECs to migrate UNE-P customers based on their telephone number – an effort BellSouth only undertook based on the order of the

Georgia Commission. To date, this effort has failed. Not only has this failure substantially increased the rejects received by CLECs, but it also further underscores the problems with BellSouth's change management process. In particular, it demonstrates the complete disconnection at BellSouth between the Information Technology personnel who design software changes, the staff that creates the business rules that CLECs require to make required changes to their interfaces, and the change management personnel who work with CLECs to determine what changes should be made and to implement those changes. Moreover, the change implemented by BellSouth is different than that requested by CLECs and different than that ordered by the Georgia Commission.

Migration By Name and Telephone Number

5. As we explained in our prior declaration, and as the Department of Justice emphasized, it is vital that CLECs are able to submit orders to migrate UNE-P customers based on the customers' telephone numbers and names only. When a BOC requires CLECs to transmit addresses on a UNE-P migration orders, this generally leads to a vast number of unnecessary rejects. As a result, MCI long ago submitted a change request asking BellSouth to accept UNE-P migration orders based on name and telephone number – as do other BOCs. The Georgia Commission ultimately ordered BellSouth to implement this process. BellSouth provided user requirements for this change on October 19, 2001 even though it intended to implement the change on November 3. BellSouth claimed that it did not have to provide 30 days notice of the change to CLECs as required by the change management process because the change was not

CLEC-impacting and because regulatory changes are exempt from the documentation timing requirements.

6. Even the written requirements provided on October 19 provided few details of the proposed change. Lichtenberg, Desrosiers, Kinard & Cabe Decl. ¶ 17. They were user requirements, not business rules, and were not designed to enable CLECs to code to the rules. The user requirements, for example, did not mention whether CLECs would have to continue to submit the customer's address or name and did not mention whether BellSouth would edit against that name, against the full address, or against the telephone number only. The rules also were not clear whether CLECs could take advantage of the change if they continued to submit the customers' address or whether CLECs would have to change their interfaces so as not to send the orders with the address. It appeared from the requirements that if CLECs continued to send addresses, BellSouth would edit against the addresses and would continue to reject orders if the addresses were incorrect.

7. In an October 25 meeting, when CLECs asked this question of BellSouth, BellSouth responded that CLECs did have to alter their interfaces and stop transmitting addresses. If CLECs transmitted addresses on their orders, BellSouth would continue to perform edit checks on those addresses and to reject the orders if the addresses contained any errors. (Att. 1, October 25, 2001 Release 10.2 User Requirements Review.) Clearly, this made the change CLEC-impacting, despite BellSouth's assertions otherwise.

8. Thus, as of October 25, MCI learned for the first time that it had to alter its interfaces if it wished to take advantage of the change that was scheduled to occur on November 3. MCI decided not to attempt to make the change in this short time frame. A key factor was that the CAVE test environment was unavailable to test such a change prior to attempting to implement it in the production environment. Testing is necessary for the CLEC as well as the BOC to ensure that the change will work successfully.

9. On the afternoon of November 2, BellSouth transmitted a carrier notification letter informing CLECs that its internal testing of the migrate by TN release had revealed that the change would not work for 30% of orders. (Att. 2, Carrier Notification Letter, Nov. 2, 2001.) According to BellSouth, 30% of telephone numbers have multiple addresses associated with them in BellSouth's Regional Street Address Guide ("RSAG") database. This has resulted from the fact that, over time, a phone number may have been used at several unrelated addresses. When a customer moves but keeps his or her phone number, both the old and new address will be associated with the phone number in RSAG. In addition, some customers have a phone number that is specially designed to ring at two different addresses. BellSouth stated that in the 30% of cases where two or more addresses exist in RSAG, BellSouth would reject CLEC orders that included only the customer's name and telephone number. BellSouth therefore "encourage[d] CLECs to continue populating the valid address and telephone number on LSRs to ensure the current level of flow-through is maintained and to minimize rejects and clarifications." (Id.)

10. Thus, one day before BellSouth implemented a significant systems change, BellSouth informed CLECs that they would experience a substantial increase in rejects after the change – unless they continued to transmit addresses on their orders. This was so even though BellSouth had informed CLECs only days earlier that they should alter their systems so that they no longer transmitted addresses to BellSouth. Of course, BellSouth's November 2 notice did not provide CLECs sufficient time to again change their interfaces so that they would continue to transmit addresses. Moreover, the title of the letter was Notification of Interface Downtime and thus many CLECs would not have understood the need to take immediate action based on the letter.

11. In any event, MCI believed that it would not be immediately impacted by the problems that BellSouth had encountered with the migrate by TN release. As we explained above, MCI had decided not to immediately alter its systems to stop transmitting addresses. Thus, fortuitously, MCI's orders were fully compliant with BellSouth's November 2 request that CLECs continue to transmit addresses when BellSouth implemented its systems change on November 3.

12. Nonetheless, after BellSouth implemented its systems change on November 3, MCI began receiving a new type of reject that it had never received previously – "Address/TN Invalid, Due Date Could Not Be Calculated." Between November 3 and November 6, MCI received 936 rejects with this message. This was 47% of the rejects that MCI received in this period.

13. When MCI called BellSouth's Local Carrier Service Center ("LCSC") to discuss these rejects, we received a number of different explanations. Eventually we were told that the rejects were caused by a BellSouth systems defect introduced by the November 3 release and that we should refer to the carrier notification letter BellSouth had transmitted on November 2. The LCSC explained that MCI should be transmitting addresses on its orders. When we responded that we were transmitting addresses on the orders, the LCSC offered no further explanation of the problem. It did say that the LCSC lacked the resources to work these rejects manually if MCI re-submitted the orders. Thus, MCI had no way to correct the rejected orders.

14. In a subsequent meeting on November 7, BellSouth suggested that some of the rejects were unrelated to the November 3 systems change. For the first time, BellSouth included an Information Technology ("IT") expert at the meeting – rather than the personnel BellSouth ordinarily brings, who lack any IT expertise. BellSouth's IT expert explained that many of the rejects MCI received for "Address/TN Invalid, Due Date Could Not Be Calculated" were rejections of suspend orders – orders that MCI transmits to temporarily suspend a customer's service for non-payment. A month earlier, on October 6, MCI had begun transmitting these orders under a different "trading partner ID" than it uses on other orders so that it could more easily track suspend orders to ensure that no one is suspended inappropriately and that restorations occur in a timely manner. MCI followed all of the proper procedures to obtain the separate trading partner ID from BellSouth. MCI did not notice a discernable increase in rejects of suspend orders after it began using the new trading partner ID on October 6.

15. Nonetheless, in MCI's November 7 meeting with BellSouth, BellSouth claimed that the reason MCI was receiving a high number of rejects on suspend orders was that BellSouth had failed to load the new trading partner ID into its systems. BellSouth further explained that the reason that MCI had not received a high number of rejects on suspend orders prior to November 3 was that LCSC representatives were manually working the suspend orders to ensure they were processed. BellSouth stated that it would now load the trading partner ID into its systems and rejection of suspend orders should significantly decrease.

16. If true, BellSouth's explanation suggests several problems with its OSS. To begin with, after MCI obtained a new trading partner ID, BellSouth should have loaded this ID into its systems promptly. Moreover, if BellSouth was going to perform additional manual work on all of MCI's suspend orders as a result of the new trading partner ID, it should have informed MCI of this fact. Until the November 7 meeting, MCI had no idea that the new trading partner ID was causing any additional manual work – further indicating the difficulty in determining from BellSouth's general pronouncements what is flowing through and what is not.

17. In any event, BellSouth's explanation regarding suspend orders is likely incorrect. If the rejects received by MCI had to do with BellSouth's failure to load a trading partner ID on October 6, there is no reason that the spike in rejects would have occurred after November 3 – in conjunction with BellSouth's migrate by TN release. Moreover, the reject message that MCI received on these suspend orders did not say anything about a trading partner ID – it said that the address/TN was invalid. And MCI did not receive this reject only on suspend orders – it also

received this reject on 178 migration orders, 25 deactivation orders, 16 maintenance orders and 3 restore orders. It is highly likely that the rejections on suspend orders, like these other orders, were caused by some problem with the November 3 release.

18. In any case, regardless of the explanation for the problem with the suspend orders, there is little doubt that the rejects on migration orders were caused by the November 3 release. At the November 7 meeting with BellSouth, MCI asked why the November 3 release would impact MCI at all if MCI was transmitting addresses on all of its orders. BellSouth informed MCI that even when CLECs transmit addresses on their orders, BellSouth ignores those addresses and acts as if they have not been transmitted. Thus, contrary to the carrier notification letter that BellSouth transmitted on November 2, CLECs could not avoid the harmful effect of BellSouth's November 3 release by continuing to transmit addresses. BellSouth implemented a release that would significantly harm CLECs no matter what steps they took to avoid such harm.

19. Moreover, BellSouth's claim that it would ignore any addresses transmitted on CLEC migration orders was flatly inconsistent with what it had told CLECs in the October 25 change management meeting and also inconsistent with the best reading of the limited written documentation on the November 3 release. In the October 25 meeting, BellSouth had informed CLECs that they would have to change their interfaces to stop transmitting addresses on migration orders if they wished to take advantage of the benefits of migration by TN.

20. BellSouth admitted to MCI on November 7 that its written documentation regarding the November 3 release – as well as its statements at the October 25 meeting – had been

incorrect. BellSouth explained that the written documentation, like other business rules, was drafted by individuals in its change management group – who had also made the statements at the October 25 meeting – but that these individuals had no connection to the IT personnel who actually wrote the software for BellSouth's systems. The IT personnel do not even review the written documentation. (Att. 3, Nov. 7 Meeting Minutes.) This astonishing statement – that the people who draft the business rule documentation and communicate with CLECs regarding the nature of a change are entirely divorced from the people who actually make the change – further explains why it is so difficult to obtain accurate and helpful information from BellSouth. The reason for this remarkable bifurcation may well be the fact that BellSouth has contracted out its IT functions to third party vendors who are not at all integrated into the processes by which BellSouth communicates to CLECs – another point noted by the Department of Justice.

21. With respect to the particular issue of migration by TN, MCI remains puzzled by the difficulties that BellSouth explained on November 2 would exist as of November 3 if CLECs did not submit addresses on their orders. BellSouth's claim – that multiple addresses are sometimes associated with a single TN in RSAG – may be true but does not explain the difficulties. The fact that multiple addresses are sometimes associated with a single TN in RSAG should not cause BellSouth any difficulty, since BellSouth does not need the address on a migration order at all. It is the TN, not the address, that is loaded into BellSouth's switches. Thus, there is no reason that BellSouth should have to obtain an address from RSAG.

22. BellSouth's explanation for its need to obtain an address is even more puzzling. According to BellSouth's IT expert, BellSouth needs to obtain an address either from the CLEC or from RSAG on migration orders in order to use its due date calculator. And, indeed, the rejects that MCI is receiving say that "Address/TN Invalid, Due Date Could Not Be Calculated," confirming that the address is used in the calculation of a due date. But there is, of course, no reason that a due date should be calculated on a UNE-P migration order. No dispatch is needed on such an order and MCI transmits the standard UNE-P interval on all such orders.

23. When MCI explained this at its November 7 meeting, BellSouth responded that it needed to use the due date calculator to determine if the relevant central office was "open" on the day requested by the CLEC. Again, however, this makes little sense. A migration order should not require that the central office be open. The only reason that the central office would have to be open is if BellSouth needed to physically dispatch to the central office, for example, to disconnect existing circuits and then connect different circuits. UNE-P translations, like all switch translations, are made from remote terminals except in the very unusual instance when the customer is served by a non-electronic switch.[1] MCI hopes that it is not the case that manual work is being performed on every migration. If it is, that would be a substantial problem in and of itself and would perhaps explain why so many MCI customers continue to lose dial tone.

24. BellSouth claims that it will fix the problem caused by the multiple RSAG addresses on November 17. We understand that implementation of migration by TN is relatively simple

[1] On November 13, BellSouth stated that the central office switch must be open to do line class code changes for UNE-P. This makes even less sense. There is no reason the switch would have to be "open" to make such a change. Moreover, MCI does not use line class codes in ordering UNE-P. That would only be required for

(for it has been accomplished quickly by other BOCs) and thus are hopeful that BellSouth will succeed. We are somewhat skeptical, however, given past events. But even if BellSouth manages to fix this particular problem, it still will not have implemented the functionality requested by MCI in its change request and ordered by the Georgia Commission.

25. What MCI requested in its change request and what was ordered by the Georgia Commission was migration by TN and name. It is important that a BOC perform edit checks to ensure that the name on the LSR matches the TN transmitted. If a BOC performs a migration based only on the TN and a CLEC makes an error in entering the TN, the BOC will migrate the wrong TN. Other BOCs, such as SWBT, Verizon, Pacific Bell and even Qwest perform migrations based on TN and name. As with parsed CSRs, however, BellSouth has decided to ignore the change requested by CLECs and implement its own version of the change. This time, however, BellSouth is also flouting the order of the Georgia Commission. At a minimum, BellSouth must have some way other than address to check that it is migrating the proper TN.

26. When on October 25, BellSouth explained its planned systems change, it stated that it would base migrations on TN only. In subsequent conversations with MCI, BellSouth stated that basing migrations on name and TN would lead to a high number of rejects. BellSouth offered no satisfactory explanation as to why this would be so, however, and this process has not led to a high number of rejects in other states.

27. On November 2 and thereafter, BellSouth began discussing with MCI an alternative to migration by telephone number and name. At a meeting on November 12, BellSouth proposed

customized routing.

to CLECs that it would edit on the telephone number and house number (SANO) field of the customer's address. Thus, CLECs would continue to submit customer addresses but BellSouth would use the addresses only to obtain the SANO, which it would use to ensure the correct customer was being migrated. Given BellSouth's unwillingness to implement migration by TN and name and the need for rapid implementation of the new functionality, MCI and other CLECs agreed to this different approach. Of course, BellSouth has yet to implement the new approach.

28. Thus, BellSouth certainly has not yet demonstrated that it has implemented the functionality needed by CLECs to allow for smooth migration of UNE-P customers without excessive rejection of orders. Even more fundamentally, BellSouth's bungled attempt to implement this new functionality emphasizes the flaws in BellSouth's change management process and in its relations with CLECs. BellSouth must provide adequate notice of all changes – including those that it believes are not CLEC-impacting. When BellSouth provides such notice, it must also provide complete and clear written documentation. In BellSouth's interaction with CLECs – both its written and oral interaction – it must include personnel with a full understanding of BellSouth's systems and changes being made to its systems, even if this requires participation by the outside vendors to whom BellSouth has contracted most of its IT functions. Finally, BellSouth must provide a test environment that is available at all times for testing of all releases — not just those that BellSouth determines to be major releases in the brief period surrounding implementation of those releases. It is vital that CLECs are able to test a

release and discover problems before that release is implemented and also to discover any problems on their side of the interface.

29. BellSouth has now promised to make one of these changes. In the November 7 meeting, BellSouth stated that in the future it would include an IT representative on calls with MCI. Hopefully this will occur and will begin to alleviate the communications problems that permeate BellSouth's relations with MCI. To date, however, all that MCI has to assess is its current experience with BellSouth – and that experience has not been positive.

Parsed CSRs and Integration of Pre-ordering and Ordering

30. BellSouth has not yet provided parsed CSRs and has not yet even provided written specifications for parsed CSRs. All that it has provided is what it provided in September - sketchy documentation that does not match the requirements agreed upon by CLECs and does not set forth sufficient details for CLECs to code to even if they choose to code to this diluted version of parsed CSRs.

31. The Georgia Commission cites BellSouth's claim that a number of CLECs have successfully integrated pre-ordering and ordering interfaces as a basis for concluding that BellSouth's OSS is adequate even in the absence of parsed CSRs. Ga. PSC Report at 88. But one of the CLECs that BellSouth claimed had successfully integrated such interfaces was MCI. MCI has not integrated its pre-ordering and ordering interfaces in Georgia. MCI is able to obtain parsed address information through the service address validation function in TAG, a separate transaction from CSR retrieval, and place that directly into an order. But MCI must type all

additional information onto its orders. MCI representatives look at the CSR and, because it is not parsed, re-type information such as the customer's name onto the orders. MCI has determined that this is more efficient than attempting to develop its own parsing routine based on the limited, inadequate and outdated information that BellSouth has provided to CLECs. MCI does not have any information that would enable it to parse the CSRs at the field level. Moreover, because BellSouth has not provided parsed CSRs or migration by telephone number, MCI must use two pre-order functions – address validation and CSR – on every order, significantly increasing the time and systems resources required for each order. Finally, as we discussed in our prior declaration, use of the address validation function has not even enabled MCI to avoid address rejects in part because BellSouth appears (at least in its manual processing) to edit the addresses against the CSR, not just RSAG.

32. The Georgia Commission also cites its decision to order BellSouth to provide parsed CSRs. While welcome, this decision will not be implemented until after the final order is issued in this docket and, especially given BellSouth's recent experience attempting to implement migration by telephone number, there is no reason to expect this implementation to proceed smoothly. Indeed, as we explained previously, it is already clear that the implementation will not fulfill CLEC needs as the specifications are missing 19 fields agreed to by CLECs. In one phone call, BellSouth stated that the reason the requirements differed from those agreed upon by CLECs is that these requirements were never conveyed to its IT developers – further emphasizing the chasm between its IT developers and change management group

33. BellSouth may claim that the Commission allowed SWBT to enter the long distance market without providing parsed CSRs. But SWBT had shown, in a way that BellSouth has not, that it had enabled CLECs to integrate their pre-ordering and ordering interfaces without parsed CSRs. Moreover, SWBT had not been sitting on a change request for parsed CSRs for years, and had agreed to implement migration by TN shortly after CLECs requested this change.

Rejects

34. MCI's reject rate remains far too high. In October, the reject rate on MCI orders was 28.0%. On migrations, it was 26.7%. Twenty percent of the rejects that MCI received on migration orders were for address errors. Among the address rejects, MCI continues to receive rejects stating that the address does not match the address in the CSR – even though BellSouth claims it checks addresses only against the RSAG database.

35. BellSouth attempts to defend its extremely high reject rate by stating that the reject rate is comparable to the rate of BOCs in several other states in which section 271 applications have been approved. BellSouth November 2 ex parte letter. In those states, however, it was plausible to suggest that the relatively high reject rates were the fault of CLECs and could not be attributed to the BOCs' failure to adopt parsed CSRs or to provide migration by name and telephone numbers. In New York and Massachusetts, Verizon did provide parsed CSRs and migration by name and telephone number. In Missouri, SWBT provided migration by telephone number. And in Texas, although SWBT provided neither parsed CSRs nor migration by telephone number at the time of its application, SWBT adopted migration by name and telephone

number before section 271 authority was granted – and it did so relatively soon after the CLECs requested this functionality, making it much more difficult to blame SWBT for the absence of such functionality at an earlier date. In addition, in Texas, the Commission concluded that only a relatively small percentage of rejects were related to address problems. Texas Order ¶ 178.

36. Here, it is not plausible to claim that the high reject rate is the fault of CLECs. BellSouth has delayed implementation of parsed CSRs and migration by telephone number for years despite requests from CLECs that it implement this functionality. In addition, both KPMG and CLECs have specifically found that BellSouth returns rejects that are simply erroneous – including, for example, the rejects that BellSouth returned immediately after its November 3 release discussed above. Finally, and most importantly, MCI is able to compare its reject rate in Georgia with the rate in other states it has entered – including the rate in states such as Illinois and Michigan that it entered relatively recently. MCI's reject rate in Georgia is approximately double those in other states it has entered even though MCI uses the same representatives and same systems to process its orders.

37. It is also important to note that BellSouth's comparison of reject rates presumes that it is accurately reporting its own reject rate. As we explained in our prior declaration, BellSouth's reported rate of rejects for MCI differs substantially from MCI's own internal reports (which MCI maintains in the same manner as it does for other regions of the country it has entered). This may be because BellSouth excludes fatal rejects from its reports, which as the Department of Justice points out, may lead BellSouth to substantially understate its reject rate.

Interactive Agent

38. No progress has been made in MCI's efforts to persuade BellSouth to agree to provide Interactive Agent. BellSouth continues to process orders through a cumbersome third-party Value Added Network ("VAN"), leading to unnecessary delays, missing notifiers, and difficulty in tracking notifiers.

39. In state regulatory proceedings, BellSouth has recently suggested that it has discussed Connect Direct (NDM) with MCI as an alternative to the VAN. BellSouth has never discussed Connect Direct with MCI and MCI did not even learn that BellSouth considered Connect Direct to be an alternative to the VAN until a deposition at the end of September. In any case, Connect Direct is not recognized or approved by the industry as a method for transmitting high volume LSR transactions.

40. BellSouth and an MCI subject matter expert on Interactive Agent have met on numerous occasions to discuss the implementation of Interactive Agent for EDI by BellSouth. To date, however, BellSouth has not communicated or proposed any implementation plans for Interactive Agent with MCI or the CLEC community.

Line Loss Reporting

41. BellSouth still has not produced an acceptable explanation of its failure to include all customers that migrate away from MCI on the line loss reports it transmits to MCI. As we explained previously, MCI uses an arduous process to audit 250 customers per month. Through this process, MCI discovered that some customers who had left MCI had not been included on

the line loss reports. Although MCI had no way to ascertain how many customers were not included, its auditing process and other data suggested the problem was likely to be significant.

42. After two months, BellSouth acknowledged that some customers were left off the line loss reports. It explained that some customers were left off the reports as the result of manual errors and others were left off because BellSouth does not include on the line loss reports customers who have been incorrectly transferred to MCI ("slammed") and then have left MCI.

43. Setting aside the fact that it would be vital for a CLEC to know that any customers who have been "slammed" have left the CLEC so that it can stop billing the customers, and that BellSouth's IT expert admitted in North Carolina testimony that such customers should be included in the line loss report, (Att. 4, Pate testimony at 89-90), BellSouth's explanation appears to be factually incorrect. We checked the third-party verification tapes of the three customers who BellSouth claimed had been slammed and all of them specifically requested that they be migrated to MCI. None were slammed. Moreover, we noted in our prior declaration that BellSouth had not been sending MCI any lists of customers who it alleged had been slammed. Subsequently, BellSouth provided a list of 14 such customers – although it sent this list to MCI's billing group, not to the group responsible for working any issues related to slamming. When MCI looked at the line loss reports, nine of the14 customers were on the line loss reports – suggesting that BellSouth is incorrect that any policy regarding customers who BellSouth believes to have been slammed explains discrepancies in the line loss reports. Once again,

BellSouth personnel assigned to work with MCI do not appear to understand BellSouth's systems.

44. Moreover, BellSouth did not assign any IT personnel to investigate the problem. Indeed, in the November 7 meeting with BellSouth, Linda Tate, BellSouth's IT representative stated that IT was not even aware that MCI had raised any issues concerning a line loss problem – even though MCI first raised this problem in August.

45. It is difficult for MCI to assess the magnitude of the line loss problem because MCI has no way of knowing how many line loss reports it does not receive. It is apparent, however, that the problem is substantial. Since launch, MCI has received more than 1,285 complaints from customers who asserted that they received bills from MCI after transferring to another carrier. It is likely that many more customers were double billed but have not yet called to complain.

Flow-through

46. Little has changed with respect to flow-through since we filed our initial declaration – except that BellSouth has submitted yet more revisions to its flow-through data. To our knowledge, BellSouth has not made any improvements to its flow-through process in recent weeks. It remains the case that when MCI reports its ongoing problems to BellSouth, BellSouth blames many of these problems on manual errors. For example, BellSouth recently attributed remaining missing notifiers to failures in the LCSC to return completion notices on some orders after completing those orders. BellSouth has also attributed line loss problems to manual errors.

47. On October 25, BellSouth filed an ex parte letter in which it again re-stated its flow-through numbers. For UNEs, BellSouth's claimed numbers dropped from 78.33% in June to 70.70%, from 90% in July to 67.36%, and from 93.13% in August to 80.82% – all well below the 85% benchmark. Moreover, these numbers are not BellSouth's "achieved flow-through" numbers but rather its "percent flow-through" numbers. The latter do not count orders as falling out if they are designed to fall out and thus the numbers are misleadingly high. There is no reason that flow-through should not approach 100% once orders designed to fall out are excluded. BellSouth does not present restated numbers for achieved flow-through in its ex parte letter and thus we do not know even what BellSouth currently claims constitutes its achieved flow-through rate (which is a better indicator of true flow through as orders that are planned to fall out are considered manual fall out under this metric).

48. More fundamentally, however, there is simply no reason to trust BellSouth's again-restated numbers. Even just looking at the numbers themselves raises significant questions. For example, there is no explanation for the increase of more than thirteen percentage points in flow-through between July and August (from 67.36% in July to 80.82% in August). Restated numbers BellSouth has provided to MCI show an even more substantial increase for MCI specifically. Yet BellSouth has admitted that only very limited changes were made in BellSouth's systems during this time to increase flow-through.

49. BellSouth certainly has not provided CLECs any ability to determine whether its new calculations are correct. In our prior declaration we explained that after BellSouth analyzed

89 MCI orders that it had manually processed, we took three of those orders from August, looked at those orders in BellSouth's PMAP database, applied the flow-through logic set forth in that database and determined that each of these orders was considered to be a flow-through order even though BellSouth had specifically told us that the orders had been manually processed. We believe that the reason that this was so is that these orders fell out for manual processing after a FOC was issued back to MCI.

50. We planned to conduct a more extensive analysis to further support our conclusion that BellSouth's flow-through numbers dramatically overstate the number of orders that actually flow through. However, we have not done so because we have no ability to replicate BellSouth's latest calculations. In its October 25 ex parte (p. 6), BellSouth appears to acknowledge that a significant number of orders fail downstream edits after a FOC has been issued and fall out for manual processing. However, BellSouth seems to suggest that it is now counting these orders as non-flow-through orders (although it also suggests that it is entitled to count them as flow-through orders). BellSouth states that it attempted a script change in August to count these orders as flow-through orders, but the script change was inaccurate and has now been removed. This raises two significant issues. To begin with, we have no way of checking BellSouth's claim that the erroneous script change it made in August has now been removed. The logic provided in BellSouth's PMAP database remains the same as when we filed our prior declaration. Thus, as far as we can tell from PMAP, the same orders that counted as flowing through when we filed our prior declaration are still counted as flowing through. BellSouth's purported modifications

are simply unverified and (currently) unverifiable assertions as to what the actual flow-through numbers are. Second, although BellSouth claims that for now it is counting post-FOC manual fall out as manual fall out, it implies that in the future it may not do so. BellSouth should not be permitted to adopt an interpretation of flow-through that allows it to count orders that fall out for manual processing as flow-through orders.

51. BellSouth suggests its flow-through performance is adequate by comparing its flow-through numbers to those of other BOCs. November 2 ex parte letter. But it is impossible to know what BellSouth's flow-through performance actually is since its numbers keep changing, and BellSouth's changing logic for calculating these numbers is never provided. Moreover, BellSouth has acknowledged in state proceedings that it does not know how other BOCs calculate flow-through and thus does not know if its flow-through numbers can be compared to theirs on an apples-to-apples basis. And the specific comparisons are inapposite in any event. BellSouth clearly has lower flow-through than existed in Texas at the time of SWBT's section 271 application there according to BellSouth's own chart. The other states on the chart, Kansas, Oklahoma, and Massachusetts, were all states in which a section 271 application in that region had already been approved for a different state with a much higher order volume and higher flow-through rate. In addition, in Massachusetts, as in New York and Pennsylvania, KPMG had demonstrated that Verizon's OSS was capable of flowing through almost all orders designed to flow through.

52. The fact is that this Commission has never before approved a section 271 application in a state where it is known that very basic UNE-P order types, such as orders for customers with voice mail or call forwarding do not flow through,[2] where a third-party tester has found flow-through problems that remain unresolved, where the manual processing that does exist has been persistently connected with ongoing problems for CLECs, and where the BOCs' claimed flow-through numbers – already low – are completely unverified and constantly changing. At a minimum, this Commission should await the results of KPMG's test in Florida which is likely to provide real results on flow-through, as well as other important information.

Loss of Dial Tone

53. Loss of dial tone continues to be a significant problem for MCI customers. As of November 2, the number of MCI customers who had lost dial tone within 30 days of the date on which MCI received the completion notice was 1,703.[3] As a percentage of MCI's installed base of customers in Georgia, this is 2.1% of MCI's customers – a significant increase from the 1.8% that existed when MCI last reported the data on September 23, 2001. Lichtenberg, Desrosiers, Kinard & Cabe Decl. 41. Again, we must re-emphasize that this is simply far too many customers losing dial tone within a short period of migration for the problems to be coincidental. While we do not have visibility into the cause of the lost dial tone, it is highly unlikely that

[2] MCI recently learned of one other cause of manual fallout. When some of MCI's change orders began rejecting after BellSouth's November 3 systems change, BellSouth explained that one reason for this was that MCI was submitting the same addresses on these orders that it had submitted on the original orders. But BellSouth stated that the LCSC had changed the addresses on MCI's original orders before they were completed. MCI does not know why BellSouth would do this, but it is another source of manual processing.

3 MCI has chosen 30 days as the appropriate measure as that it is how BelllSouth reports its performance data.

anywhere near this many customers would have lost dial tone if they had not migrated from BellSouth.

54. On September 27, MCI submitted a list of 27 customers to BellSouth who had lost dial tone within 30 days of migration so that BellSouth could perform a root cause analysis. On November 9, BellSouth responded that one of these customers had lost dial tone as a result of a "service order error"; three customers had lost dial tone as a result of "switch translation problems"; four customers lost dial tone, and BellSouth identified a trouble, even though "there was no trouble found in BellSouth's facilities"; two customers had no trouble that could be identified by BellSouth; fourteen customers lost dial tone as a result of facility problems; one customer lost dial tone as a result of an inside wiring problem; one lost dial tone as a result of a defective network interface; and one lost dial tone as a result of a problem caused by another utility company with a buried drop.

55. BellSouth's response provides little information beyond that which MCI already has from trouble ticket closure information. With respect to the fourteen customers who had facility problems, for example, MCI does not know what these facility problems were or why UNE-P migration customers would be experiencing such problems. With respect to the four customers for whom BellSouth identified a trouble but BellSouth then stated that "there was no trouble in BellSouth's facilities," MCI has no idea what this means. As for the five customers who lost dial tone as a result of a service order error and switch translation problems, these appear to be problems associated with migrations but BellSouth has not provided sufficient detail to know for